

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL ANDREW MATTHIAS,	:	
	:	Civil Action No. 4:CV-07-1987
Petitioner,	:	
	:	
v.	:	(Judge McClure)
	:	
THOMAS HOGAN, et al.	:	
	:	(Magistrate Judge Blewitt)
Respondents.	:	

ORDER

March 31, 2008

BACKGROUND:

On October 30, 2007, petitioner Michael Andrew Matthias, in the custody of ICE at York County Prison, York Pennsylvania, filed the instant petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. In the petition, Matthias appears to challenge his detention by ICE and the denial of bond by the Immigration Judge (IJ).

The matter was initially referred to United States Magistrate Judge Thomas M. Blewitt. On March 7, 2008, the magistrate judge filed an eighteen-page report recommending that the petition be dismissed. (Rec. Doc. No. 12.) Specifically, the magistrate judge concluded that petitioner's claim must fail because he is subject to mandatory detention under § 236(c) of the Immigration and Nationality

Act. (Id. at 11-12.)

No objections have been filed to the report and recommendation. Because petitioner has elected not to object to the report and recommendation and because we agree with the magistrate judge's analysis and recommendation, we will adopt the report and recommendation in full. For the purposes of judicial economy, we will not rehash the sound reasoning employed by the magistrate judge. We agree with the magistrate judge's thorough analysis that petitioner is not entitled to bail due to his prior conviction for an aggravated felony. Therefore, the petition must be denied.

NOW, THEREFORE, IT IS ORDERED THAT:

1. United States Magistrate Judge Thomas M. Blewitt's Report and Recommendation is adopted in full. (Rec. Doc. No. 12.)
2. Matthias' habeas petition is denied.
3. The clerk is directed to close the case file.

s/ James F. McClure, Jr.
James F. McClure, Jr.
United States District Judge